

Appln No. 10/692,481
Amdt date July 25, 2008
Reply to Office action of January 25, 2008

REMARKS/ARGUMENTS

Claims 39-79 were previously pending, of which claims 66-79 were withdrawn. Applicants have canceled claims 42-51, 55-65 and 69-79. Applicants have also presented new claims 80-90. Claims 39-41, 52-54, 66-68 and 80-90 are now pending, of which claims 66-68 have been withdrawn.

On page 2 of the Office action, restriction to inventions I subcombination (claims 39-65) and invention II combination (claims 66-79) is made final. For the following reasons, Applicant respectfully requests reconsideration of the restriction requirement.

Section 806.05(c) of the *MPEP* states the following regarding restriction between a combination and subcombination:

Where a combination as claimed does not **>require<** the details of the subcombination as separately claimed and the subcombination has separate utility, the inventions are distinct and restriction is proper if reasons exist for insisting upon the restriction, i.e., there would be a serious search burden **>if restriction were not required<** as evidenced by separate classification, status, or field of search. This situation can be diagramed as combination AB^{br} ("br" is an abbreviation for "broad"), and subcombination B^{sp} ("sp" is an abbreviation for "specific"). B^{br} indicates that in the combination the subcombination is broadly recited and that the specific characteristics required by the subcombination claim B^{sp} are not required by the combination claim.

Section 806.05(c) of the *MPEP* further states the following:

If a restriction requirement can be properly made between combination AB^{br} and subcombination B^{sp}, any claim to combination AB^{sp} would be grouped with combination AB^{br}.

Thus, according to the *MPEP*, claim combinations AB^{br} and B^{sp} would be restricted as being separate inventions, but claim combinations AB^{br} and AB^{sp} would be grouped together and not restricted as being separate inventions.

Claim 39 recites a combination of "a rail" and "a component" comprising a first member and a second member. Claim 66 also recites a combination of "a rail" and "a

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component." In claim 66, the component is recited as comprising means to releasably engage, a base plate, and a knob assembly for releasably securing the base plate to the rail including a knob and a T-bolt with a head adapted to fit within the rail channel. As diagrammatically explained by the above-quoted section of the *MPEP*, the combination in claim 39 can be considered AB^{br}, where A is the rail and B is the component. The combination in claim 66 can be considered AB^{sp}, where A is the rail and B is the component. Therefore, Applicants submit that the restriction of inventions I and II in the Office action is improper because both claims 39 and 66 recite a rail and a component, where in claim 39 the component is recited broadly (i.e., AB^{br}) while in claim 66 the component is recited more specifically than claim 39 (i.e., AB^{sp}).

For the foregoing reasons, Applicants request that claims 66-68 be rejoined with claims 39-41, 52-54 and 80-90.

The disclosure has been objected to for disclosing "45-degree baby pin and bail pin," which the Examiner has considered indefinite because they are not in the dictionary. Applicant has amended the Specification to recite "any type of pin used in supporting lighting and other equipment used in the entertainment industry." Applicant requests withdrawal of this objection.

The drawings have been objected to for not showing the features of certain claims. Applicant has canceled the claims upon which the drawing objection is based.

Claims 42, 50-51, 55, and 64-65 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicant has canceled these claims.

Claims 39-41, 44, 48-49, 52-54, 56, 59 and 63 have been rejected under 35 U.S.C. 102(b) over Pecaut (U.S. Patent 3,399,856). Claim 39 has been amended to recite "wherein the first member is moveable from a first position such that the first member clears the lip and is movable into and out of the opening of the channel when moved in a direction that is transverse to the length of the rail to a second position such that the first member is blocked by the lip when inside the channel to prevent the component from being removed from the channel when moved in a direction that is transverse to the

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length of the rail." In contrast, Pecaut does not teach or suggest the noted limitation of claim 39.

Referring to FIGS. 2 and 4 of Pecaut, the roller assembly 15 is installed in the track means 11 so that it can traverse in the track means 11 as shown in FIG. 1. The wheels 30 and 34 of the roller assembly 15 engage the interior of the track means 11. However, the roller assembly 15 does not have a first member wherein the first member is moveable from a first position such that the first member clears the lip 24 (see FIG. 1 of Pecaut) and is moveable into and out of the opening of the channel 23 when moved in a direction that is transverse to the length of the track means 11. Therefore, Applicant believes that claims 39-41 are patentable over Pecaut.

Claim 52 has been amended to recite "wherein the first member is moveable into and out of the channel through the opening when the length of the first member is substantially aligned with the length of the rail; wherein the first member is rotatable inside the channel such that the length of the first member is transverse relative to the length of the rail; wherein the first member is configured to engage an inner surface of said lip inside the channel to prevent the component from being removed from the rail when the length of the first member is transverse relative to the length of the rail."

In contrast to claim 52, Pecaut does not teach or suggest a first member, wherein the first member is moveable into and out of the channel 23 through the opening when the length of the first member is substantially aligned with the length of the track means 11 and wherein the first member is rotatable inside the channel 23 such that the length of the first member is transverse relative to the length of the track means 11. Therefore, Applicant believes that claims 52 is patentable over Pecaut.

Based on the foregoing, Applicants believe that claims 39-41 and 52-54 are patentable over Pecaut.

Claims 42-43, 45-47, 50-51, 55, 57-58, 60-62 and 64-65 have been rejected under 35 U.S.C. 103(a) over Pecaut. Applicants have canceled these claims.

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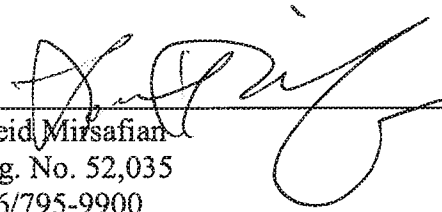
Applicant has presented new claims 80-85, which depend on claim 39 and new claims 86-90, which depend on claim 52.

Applicant believes that the claims are in condition for allowance.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



Sacid Mirsafian
Reg. No. 52,035
626/795-9900

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